

## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** James R. Helmer  
Katy Allen

**SUBJECT: PROPERTY AGREEMENT  
FOR TASMAN/CAPITOL  
LIGHT RAIL PROJECTS**

**DATE:** 05-31-05

Approved



Date

6/10/05

Council District: 4, 5  
SNI Area: East Valley/680

### **RECOMMENDATION**

Approval of an agreement with the Santa Clara Valley Transportation Authority for the transfer of properties supporting City facilities constructed by the Tasman and Capitol Light Rail Transit Projects, and authorizing the Director of Public Works to execute all related documents and deed acceptances.

### **BACKGROUND**

The Santa Clara Valley Transportation Authority (VTA) has completed the Tasman East and Capitol Light Rail Transit (LRT) Corridor Projects. These projects added 8.2 miles to the LRT system and extended service into the Berryessa and Alum Rock areas of San José and the City of Milpitas. Revenue service for the Tasman East and Capitol LRT Corridors began in June 2004. The alignment of the Tasman and Capitol LRT Corridors is shown on Attachment 1.

To accommodate the light rail trackway and stations, and to maintain street width for vehicular, bicycle, and pedestrian traffic, the VTA acquired properties needed to modify the roadway. In total, VTA acquired 239 properties along the LRT corridors. Most of the right of way acquired by VTA was used for roadway widening and the construction of facilities and infrastructure that fall within the operation and maintenance responsibility of the City of San José. As such, it is necessary for the City and VTA to enter into an agreement to transfer interest of these properties from the VTA to the City.

On April 6, 2004, the City Council approved an agreement with the VTA, whereby the City accepted responsibility for the operation and maintenance of the City facilities constructed by the VTA as part of the Tasman and Capitol LRT projects. The agreement that is the subject of this report addresses the administrative property transactions related to these City facilities.

**ANALYSIS**

The table below summarizes the number of properties to be transferred to the City:

<b>Light Rail Corridor</b>	<b>Acquired in Fee</b>	<b>Acquired in Easement</b>	<b>Total</b>
Tasman East	49	39	88
Capitol	63	88	151
<b>Total</b>	<b>112</b>	<b>127</b>	<b>239</b>

There are a total of 239 properties to be transferred to the City. Of these properties, eight were found to contain contamination, five of which exceeded regulatory limits. Corrective actions were taken and the areas were subsequently retested and found to be within acceptable limits. The documentation was made available to the Department of Environmental Services.

City of San José staff has inspected and accepted the infrastructure improvements constructed by the LRT Projects. These improvements consist of roadways, bikeways, sidewalks, traffic signals, streetlights, street trees, storm drains, and sanitary systems. The City has assumed ownership, operational and maintenance responsibility for these improvements based on the previously executed operations and maintenance agreement.

With construction completed along the Tasman and Capitol LRT Corridors and the City's acceptance of the infrastructure improvements, it is recommended the designated properties be formally conveyed to the City.

**OUTCOME**

The recommended action supports the outcome of providing viable transportation choices. The Tasman and Capitol LRT projects have provided the City with improved transit, bike and pedestrian travel options. The specific action recommended in this report allows for the administrative "close out" of the project by transferring to the City various properties that are part of the City's transportation infrastructure.

**PUBLIC OUTREACH**

There is no public outreach associated with the recommendation.

### **COORDINATION**

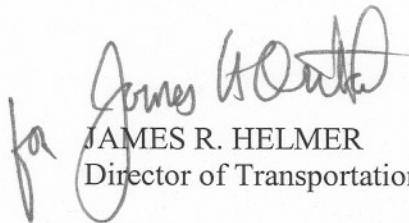
The development of this agreement has been coordinated with the Santa Clara Valley Transportation Authority, City Attorney's Office, the Department of Planning, Building and Code Enforcement, and the Department of Environmental Services.

### **COST IMPLICATIONS**

VTa will transfer the properties to the City at no cost.

### **CEQA**

The Santa Clara Valley Transportation Authority Board of Directors approved Final Environmental Impact Reports for the Tasman East LRT Project on January 12, 1993 and for the Capitol LRT Project on March 2, 2000.

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JAMES R. HELMER  
Director of Transportation

Attachment

A handwritten signature in dark ink, appearing to read "Katy Allen".

KATY ALLEN  
Director of Public Works

# ATTACHMENT 1

## PROJECTS LOCATION MAP TASMAN EAST AND CAPITOL LIGHT RAIL PROJECTS

